## IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re United States Patent Application of:

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Applicant:

Adam G. Malofsky et al.

OCT 2 0 2004

Serial No.:

09/840,859

Examiner:

D.R. Zirker

Filed:

April 24, 2001

Art Group:

1771

Title:

**FASTENING DEVICE** 

Atty. Docket

7962801/0503762

## **CERTIFICATE OF TRANSMISSION**

I hereby certify that this document totaling 1\$ pages is being facsimile transmitted to the United States Patent and Trademark Office, Fex No. (703) 872-9306, on October 20, 2004.

AMENDMENT AND RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT DATED OCTOBER 1, 2004

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir.

In response to the Notice of Non-Compliant Amendment issued on October 1, 2004 with respect to the above-identified pending patent application, the undersigned herewith submits substitute, corrected pages 2 thru 10, the "amendments to the Claims section, to the amendment document entitled "Amendment and Response to Final Office Action Dated June 7, 2004" filed on September 23, 2004 with Applicants' Request for Continued Examination.

Response to 10.01.04 Notice

## USSN 09/840,859

10:43

The undersigned apologizes for his improper use of the term "Deleted" in substitution for the proper term "Cancelled" in the claim listing. It appears that this was the only omission in the amendment and, therefore, it is now believed that the amendment is in proper form and should be entered and considered.

Respectfully submitted,

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